



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

ANDRE JUSTE,

Plaintiff,

vs.

COLUMBIA REGIONAL CARE CENTER,
CORRECT CARE SOLUTIONS, DR.
VERNELLE FOGLE, DR. CYNTHIA
MCFADDEN, BRICE MCCLEAVE,
RONALD LAWRENCE, ROSE, NANCY
CRAWFORD, INDIVIDUALS, MEDICAL
STAFF, NURSES, VOLUNTEERS,
INDIVIDUALS, MEDICAL STAFF,
SECURITY CUSTODY OFFICERS STAFF,
PATIENTS, INDIVIDUAL PATIENTS,
SOUTH CAROLINA LAW ENFORCEMENT
DIVISION, U.S. DEPARTMENT OF
JUSTICE, FEDERAL BUREAU OF
PRISONS, DIRECTOR OF
ACCREDITATION ON NATIONAL
COMMISSION ON CORRECTIONAL
HEALTH, SECRETARY OF HEALTH
AND HUMAN SERVICES, FOOD AND
DRUG ADMINISTRATION, U.S.
DEPARTMENT OF HEALTH AND HUMAN
SERVICES, GEORGIA DEPARTMENT OF
CORRECTIONS, INDIVIDUAL PATIENTS,
C.D.C., U.S. IMMIGRATION AND
CUSTOMS ENFORCEMENT, and
DEPARTMENT OF HOMELAND
SECURITY,

Defendants.

CIVIL ACTION NO. 4:16-2974-MGL-TER

ORDER ADOPTING THE REPORT AND RECOMMENDATION
AND DENYING PLAINTIFF'S MOTION FOR A PERMANENT INJUNCTION

This case was filed as a 42 U.S.C. § 1983 action. Plaintiff is proceeding pro se. The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting that Plaintiff's Motion for a Permanent Injunction be denied. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on December 7, 2016, and the Clerk of Court entered Plaintiff's objections to the Report on December 19, 2016. The Court has reviewed the objections, but finds them to be without merit. Therefore, it will enter judgment accordingly.

In Plaintiff's objections, he makes no specific objections to the Report. Instead, he generally reiterates claims that the Magistrate Judge has already considered and rejected. Because the Court agrees with the Magistrate Judge's treatment of those issues, it need not discuss them again here. Suffice it to say Plaintiff has utterly failed to allege he meets all four elements under the standard set forth in *Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7, 20 (2008). Therefore, the Court will overrule Plaintiff's objections.

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court overrules Plaintiff's objections, adopts the Report, and incorporates it herein. Therefore, it is the judgment of this Court that Plaintiff's Motion for a Permanent Injunction is **DENIED.**

IT IS SO ORDERED.

Signed this 28th day of December, 2016, in Columbia, South Carolina.

s/ Mary Geiger Lewis
MARY GEIGER LEWIS
UNITED STATES DISTRICT JUDGE

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this Order within sixty days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.